

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 28, 1971  
10:00 A. M.

Council Chamber, City Hall

The meeting was called to order with Mayor Pro-tem Love presiding. It was noted that Mayor Butler and Councilman Lebermann would be absent for a short while.

Roll Call:

Present: Councilmen Dryden, Nichols, Mayor Pro-tem Love, Councilmen Friedman, Handcox  
Absent: Mayor Butler, Councilman Lebermann

The Invocation was delivered by MR. LYNN ANDREWS, City Manager of the City of Austin.

APPROVAL OF MINUTES

Councilman Nichols moved the Council approve the Minutes of December 16, 1971. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro-tem Love, Councilmen Friedman, Handcox  
Noes: None  
Absent: Mayor Butler, Councilman Lebermann

PROCLAMATION

Councilman Dryden read a Proclamation and moved the Council approve said Proclamation, in behalf of the City of Austin, commending and supporting the Longhorn Football Team, and especially setting aside for recognition and celebration the 1st day of January, as "BEAT PENN STATE DAY" in Austin, Dallas and the State of Texas. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro-tem Love, Councilmen Friedman, Handcox  
Noes: None  
Absent: Mayor Butler, Councilman Lebermann

CONTRACTS AWARDED

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

ED H. PAGE  
(AUSTIN, TEXAS)

- For construction of a reinforced concrete 10' x 7' single box culvert in Hart Lane, Northwest Hills - Northwest Oaks III, Contract No. 71-Ce-134 - \$15,020,00. (40 working days for completion; Engineer's estimate - \$14,400.00; Capital Improvement Program; 50-50 Owner-City participation)

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Pro-tem Love, Councilmen Friedman, Handcox, Dryden, Nichols  
Noes: None  
Absent: Mayor Butler, Councilman Lebermann

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

SOUTH SIDE AUTO PARTS  
(Austin, Texas)

- Two (2) year contract for impoundment of abandoned vehicle - \$10.53 payment to City for each vehicle impounded.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Dryden, Nichols, Mayor Pro-tem Love  
Noes: None  
Absent: Mayor Butler, Councilman Lebermann

Councilman Lebermann entered the Council Chamber at this time.

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

C & H CONSTRUCTION  
COMPANY  
(Austin, Texas)

- For the construction of Recreation Building at Metz Park - \$86,638.00. (150 calendar days for completion; Architect's estimate \$78,300.00; Capital Improvement Program)

Mr. Eldridge was asked to point out the qualifications that were not complied with. He reported that the Model Cities requirements included in the specifications that the contractor would indicate his intent about hiring people in the area, training certain people to work and become gainful employees. These requirements were not presented with the bid by C and H Construction Company as called for in the specifications. Councilman Nichols called attention to the Addendum, whereas if the specific item were checked, the contractor was to develop and submit his employment plan to the applicant within 15 days after the pre-construction conference or after receipt of notice. The date of this notice is December 7th. If it were required to be a written notice, it would be necessary for him to provide the information on December 22nd.

If this item were not checked on the bid, the bidder may not be required to furnish this date. "If the bid is not checked, submittal of written copies will not ordinarily be required." Councilman Nichols wanted to know if the others who received the Addendum, checked this item on their copies.

Mr. Eldridge reported on a pre-bid conference. Mr. Homer Reed, Executive

Administrator, explained the item referred to is an attachment to the specifications, in fact a publication of HUD. In Addendum Number 2, note was made that this HUD publication was attached, and it was pointed out that all requirements contained therein shall be applicable to this project. In addition there was a meeting held with all prospective bidders and it was made clear that this was a requirement of the bid. Councilman Nichols contended the bidder had time to furnish this requirement.

At this time Mayor Butler entered the Council Chambers.

Mr. Klein, Estimator and First Vice President of C and H Construction Company, in answer to Councilman Dryden, stated he would make such an employment agreement, and he stated he would be willing to work with Mr. Ojeda and City officials and use these employees in cooperation with their suggestions. He stated they would need a few new men to begin with. His company would subcontract the masonry and steel. Councilman Dryden emphasized the use of personnel in this area as far as possible.

Mr. Reed read the portion of the document which was a part of the specifications, "The City of Austin Affirmative Action Program" which was approved by the Council, and now is a part of all contracts and bid invitations: "In order to assure the City of Austin that the contractor has the ability to undertake such an effort each contractor bidding on the contract submit in writing as part of his bid the description of the Affirmative Action Program that will be used to train and hire Model Neighborhood residents." Mr. Reed stated the only exception was the bidding procedure, and when Mr. Klein submits the Affirmative Action statement, he would be in compliance.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro-tem Love, Councilman Friedman

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

MILLER CONSTRUCTION  
COMPANY  
(AUSTIN, TEXAS)

- Parks and Recreation Improvements at Rosewood Park, Civitan Park and Pan American Park - \$85,652.60. (120 calendar days for completion; Capital Improvements Program)

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro-tem Love, Councilmen Friedman, Handcox

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

Councilman Friedman moved the Council adopt a resolution awarding the following contract:

CANYON CONSTRUCTION  
COMPANY  
(AUSTIN, TEXAS)

- For construction of addition to Rosewood Park Recreation Center and Doris Miller Auditorium - \$197,442 - Alternate I. (180 calendar days for completion; Architect's estimate - \$210,500; Capital Improvements Program)

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Dryden, Nichols, Mayor Pro-tem Love, Councilmen Friedman, Handcox, Mayor Butler

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

Mayor Pro-tem Love moved the Council adopt a resolution awarding the following contract:

AUSTIN METAL & IRON COMPANY (AUSTIN, TEXAS)

- Sale of Scrap Metal accumulated by Central Stores Division from various departments for January, February and March, 1972 - Estimated \$3,826.30.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro-tem Love, Councilmen Friedman, Handcox, Mayor Butler, Councilman Dryden

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

AMENDING CITY CODE

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 16-8 OF THE AUSTIN CITY CODE OF 1967 BY DELETING THE REQUIREMENTS FOR SMALLPOX VACCINATIONS WITHIN SUBSECTIONS (c) (7) AND (10) THEREOF; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for 3 readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro-tem Love, Councilman Friedman, Mayor Butler, Councilmen Dryden, Nichols, Lebermann

Noes: None

Not in Council Room when Roll was called: Councilman Handcox

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor Butler introduced the following ordinance:

COLORADO HILLS ESTATES C14-69-308

Rear of 1805-1909 Crooked Lane Rear of 1809-1811 Briar Hill Drive

From Interim "A" Residence District First Height and Area to "BB" Residence District First Height and Area

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS

FOLLOWS: A 5.7 ACRE TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 1805-1909 CROOKED LANE; THE REAR OF 1809-1811 BRIAR HILL DRIVE, FROM INTERIM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro-tem Love, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro-tem Love, Councilmen Lebermann, Friedman, Handcox  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

JACK THOMASON C14-71-245	501-603 Deen Avenue	From "A" Residence District to "B" Residence District
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AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOTS 4-7, ROBERT L. PICKLE SUBDIVISION, LOCALLY KNOWN AS 501-603 DEEN AVENUE, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro-tem Love, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro-tem Love, Councilmen Lebermann, Friedman, Handcox  
Noes: None

Mayor Butler announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

BRUCE KUEMME C14-71-132	6605-6607 Guadalupe Street	From "A" Residence District to "BB" Residence District
DARDEN AND HETHERLY C14-71-237	8305 Shoal Creek Blvd.	From "O" Office District to "GR" General Retail
TIP INVESTMENTS, LTD. C14-71-256	1500 Wheless Lane	From "BB" Residence District to "B" Residence District

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: (1) LOT 1, BLOCK L, PLAZA PLACE SUBDIVISION, LOCALLY KNOWN AS 6605-6607 GUADALUPE, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; AND, (2) LOT 3, BLOCK S, ALLANDALE ESTATES, SECTION 2, LOCALLY KNOWN AS 8305 SHOAL CREEK BOULEVARD, FROM "O" OFFICE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; AND, (3) LOT 2, PATRICK HERRING SUBDIVISION, LOCALLY KNOWN AS 1500 WHEELS LANE, FROM "BB" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro-tem Love, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro-tem Love, Councilmen Lebermann, Friedman, Handcox  
 Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

MR. & MRS. DOYLE  
 MOORE  
 C14-69-297

Tract 1  
 1812-1922 Dalton Ln.  
 1813-1923 Highway 183

From "A" Residence District to "LR" Local Retail District

Tract 2  
 1901-1921 Dalton Ln.  
 8100-8108 Riverside Dr.  
 Rear 8108-8118 Riverside Dr.  
 8118-8140 Riverside Dr.  
 1900-1914 Highway 29

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: TRACT 1: RESUBDIVISION OF LOTS 14, 15, 16, AND 17, BERGSTROM TERRACE, LOCALLY KNOWN AS 1812-1922 DALTON LANE; 1813-1923 U. S. HIGHWAY 183; AND, TRACT 2: A 4.13 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1901-1921 DALTON LANE; 8100-8108 RIVERSIDE DRIVE; THE REAR OF 8108-8118 RIVERSIDE DRIVE; 8118-8140 RIVERSIDE DRIVE; AND 1900-1914 U. S. HIGHWAY 29; FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro-tem Love, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro-tem Love, Councilmen Lebermann, Friedman, Handcox  
 Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

C. D. MCCALL AND  
R. C. ARMSTRONG  
C14-70-001

503-519 East Ben White  
Boulevard

From Interim "A" Residence  
District First Height and  
Area to "D" Industrial  
District First Height and  
Area

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOTS 1 AND 2, ARMSTRONG-MCCALL SUB-DIVISION, LOCALLY KNOWN AS 503-519 EAST BEN WHITE BOULEVARD, FROM INTERIM "A" RESIDENCE DISTRICT TO "D" INDUSTRIAL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro-tem Love, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro-tem Love, Councilmen Lebermann, Friedman, Handcox

Noes: None

The Mayor announced that the ordinance had been finally passed.

#### DELAY OF AMENDING ZONING PROCEDURES

The Council postponed until Thursday, January 6, 1972, the item about amending zoning procedures by establishing time limitations to meet Council requirements.

#### POSTPONED - FLOOD MANAGEMENT PROGRAM

The Council delayed until January 6, 1972, the item about considering Categories 2 and 3 of the Flood Management Program.

#### COST DIFFERENCE

Councilman Nichols moved the Council adopt a resolution authorizing payment to AUSTEX DEVELOPMENT COMPANY, LTD. for the cost difference of 12"/8" water main in Wooten Village, Section 8 - \$3,722.99. The motion, seconded by Mayor Pro-tem Love, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro-tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden

Noes: None

#### ANNEXATION HEARING SET

Mayor Pro-tem Love moved the Council adopt a resolution setting a public hearing at 2:00 P. M., January 20, 1972, to consider annexing the following:

The City Manager, Mr. Lynn Andrews, asked that 17.24 acres of land out of the J. C. Tannehill League -

proposed CREST HILLS, SECTION, ONE, be deleted as it must go before the Planning Commission.

3.04 acres of land out of the James P. Wallace Survey - proposed WESTOVER HILLS, SECTION THREE, PHASE SIX.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro-tem Love, Councilmen Friedman, Handcox, Mayor Butler, Councilman Dryden

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

Councilman Nichols inquired about acreage that was being left out. Councilman Friedman, referring to the 17.24 acres which was deleted, stated these areas are slowly being brought in, and he asked that a report be made on this area - Springdale Road.

The Director of Planning reported that Highway 183 had been annexed out to include two subdivisions. This annexation is to include that area, the extension of Mesa, and it does create holes in the doughnut, because the highway right-of-way is within the city. He stated if the Council desired, they would start processing this area. Mayor Pro-tem Love indicated the area should be considered, and that Mr. Lillie would proceed with the additional area.

#### REFUND CONTRACTS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH AUSTEX DEVELOPMENT COMPANY, LTD.; AND DECLARING AN EMERGENCY.

Mayor Pro-tem Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro-tem Love, Councilman Lebermann

Noes: Councilman Friedman

Not in Council Room when Roll was called: Councilman Handcox

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH WESTOVER HILLS, INC.; AND DECLARING AN EMERGENCY.

Mayor Pro-tem Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro-tem Love, Councilman Lebermann

Noes: Councilman Friedman  
 Not in Council Room when Roll was called: Councilman Handcox

The Mayor announced that the ordinance had been finally passed.

#### REFUND CONTRACT DEFERRED

NORWAL, INC.  
 Jerry Wallace, President

- For water and sewer mains in Quail Creek,  
 Phase III, Sections 1 and 2 - \$67,156.45.

The City Manager reported the applicant wanted to enter into a cash refund contract, and he wanted to discuss this matter with the Assistant Director of Water and Waste Water. Mr. Andrews pointed out there was no fixed policy to cover this. Until a firm policy is made, they had dropped these cash refunds above \$5,000.

Mayor Butler suggested in the future that a written memorandum be submitted as to a request being withdrawn, and the reason, etc. The Council delayed this request until Mr. Wallace, or his attorney, could be present.

Later in the meeting Mr. Jerry Wallace, representing Norwal, Inc., requested withdrawal of this item and asked that this be placed on the Agenda at a subsequent meeting in a different form. They would request for a cash participation for the oversize water and sewer mains and the balance in the form of a refund contract.

Councilman Nichols moved the delay be granted and the item be set up for January 13, 1972, which is the meeting that will be held at Reagan High School. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Lebermann, Friedman, Mayor Butler

Noes: None

Not in Council Room when Roll was called: Councilman Handcox, Mayor Pro-tem Love

#### CONSIDERATION OF POLICE AID AND POLICE CADET QUALIFICATIONS

Councilman Nichols moved the Council approve the establishment of the Police Aids Qualifications as of the Memorandum of December 27, 1971, and revised as of December 28, 1971. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro-tem Love, Councilmen Lebermann, Friedman, Mayor Butler, Councilman Nichols

Noes: None

Not in Council Room when Roll was called: Councilman Handcox

Mayor Butler stated this was a good recommendation as it embodies what all parties wanted and it makes the program easier for the young men, as well as raises the standard after they are trained that they must meet. He recommended the educational requirement.

Councilman Nichols said he would like for the City Manager, and Chief Phifer to check into possibly requiring in the future, college credits before one can take an examination for Lieutenant or for Captain. Mayor Butler stated the Council could present its case and the reasoning behind it to the Civil Service

Commission. It was pointed out the Civil Service Commission sets these standards for entry and promotion. The City Attorney, referring to the State Statute, questioned the college requirements for promotion, as one who meets the time criteria would be eligible to take the promotional examination. Councilman Nichols asked if the City Attorney would talk with the Commission and come back with a report. Mayor Butler stated this was a great idea, as it would up-grade the Police Department from within, and the officers could get this extra training while they are on the jobs without sacrifice to them, except some of their off-time.

#### PROTEST RECEIVED BY TELEGRAM

Mayor Pro-tem Love reported there was some publicity given the last week regarding protest by Allis-Chalmers to action taken by the Council on a bid. The protest was received last Tuesday by telegram, which would have been read, had it been received during Council session.

#### BOAT DOCKS

Mayor Butler brought up the question of the distance in the lake that a structure could extend, and inquired if the Park Rangers were issuing citations on non-functioning lights. He called attention to old piers out in the lake that are real hazards. The City Manager stated he would have a report on the boats and docks as to lights and health status.

Councilman Handcox stated the question of the distance these docks extended into the lake should be considered. Mayor Pro-tem Love read from the report of the Building Official, that no structure should extend more than one-third the distance from shore to shore at the point where the structure is located or be nearer than 10' from any side property line of the owner or applicant.

Councilman Lebermann suggested this matter be referred to the Navigation Board, Mayor Pro-tem Love asked that this be held until the afternoon when the Building Official might have more information.

Mr. Lonnie Davis, Assistant Building Official, in response to concern of the Council about docks extending out into the lake certain distances, stated the Code provided for extending out 50' but not to exceed one third of the distance of the lake or an arm of the lake. One of the docks under consideration today went out 20' and the other from 23-26'.

Discussion covered provision of lights on these docks; that the Building Official's Office checked the lights when installed, but the lake patrol enforced the ordinance, and the Health Department checked on the septic tanks. Mr. Davis stated these applications for boat docks clear the Health Department before they are scheduled before the Council. In answer to Mayor Butler, Mr. Davis stated this provision of extending certain lengths in the lake probably dates back to the 1930's. Mayor Butler asked that the Council adopt a resolution to refer this item to the Navigation Board for study.

Councilman Lebermann moved the Council refer this question to the Navigation Board for study. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilmen  
Dryden, Nichols, Mayor Pro-tem Love  
Noes: None

Councilman Nichols moved the Council adopt resolutions approving the following boat docks:

Mrs. Margaret Lund	- Lot No. 13, Lago Villa Subdivision
Mr. Joe Hooten	- 2710 Scenic Drive
Mr. Walter Caven	- 2800 Scenic Drive

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Friedman, Mayor Butler, Councilmen Dryden, Nichols  
Lebermann  
Noes: Councilman Handcox, Mayor Pro-tem Love

#### ZONING WITHDRAWN

Councilman Nichols moved the Council grant the request to withdraw Zoning Case No. C14-71-291, Joe Pustejovsky, at 2001-2003 Matthews Lane, scheduled to be heard before the Council on January 6, 1972. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro-tem Love, Councilmen Lebermann, Friedman, Handcox  
Noes: None

#### HOTEL OCCUPANCY TAX

Mayor Butler introduced the following ordinance?

AN ORDINANCE AMENDING ORDINANCE NO. 710909-I TO APPROPRIATE FROM UNAPPROPRIATED GENERAL FUNDS AND CREDIT TO THE SPECIAL SERVICE ACCOUNT AN AMOUNT TO BE EXPENDED FOR THE PROMOTION OF CONVENTION AND TOURIST ACTIVITIES; AND DECLARING AN EMERGENCY.

Mayor Pro-tem Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro-tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### REQUESTS - LAND FOR CARNIVALS

Councilman Nichols moved the Council approve the request from Mr. John Beasley, Director General Ben Hur Shrine Circus, to use land adjacent to the Coliseum for Circus and Carnival, October 20th through 29th, 1972. The motion, seconded by Mayor Pro-tem Love, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro-tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden  
Noes: None

Councilman Nichols moved the Council approve the request from Mr. Verlin Callahan, President Austin Livestock Show, to use land adjacent to the Coliseum to conduct a carnival, October 20th through 26th, 1972. The motion, seconded by Mayor Pro-tem Love, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro-tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden  
Noes: None

#### REPORTS FILED

The City Manager called attention to two reports he had just furnished the Council.

#### CAPITAL IMPROVEMENT PROGRAM

Councilman Friedman inquired when the Council would review the Capital Improvement Plan. The City Manager reported the Capital Improvement Plan, with the final details will be filed with the Council this week. He stated they were trying to get this C.I.P. out early, possibly by April or May, instead of October.

#### MAYOR TO BE ABSENT

Mayor Butler announced he would be out of the City at the next meeting, January 6th.

#### ADJOURNMENT

The Council adjourned.

APPROVED: Ray Butler

Mayor

ATTEST: Elain Woodley

City Clerk